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Counsel for Defendant DAVIS

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

WILLIAM DAVIS,

Defendant.

No. CR 11-0337 MMC

STIPULATION and ~~PROPOSED~~
ORDER TO CONTINUE STATUS
CONFERENCE

Date: November 9, 2011

Time: 2:30 p.m.

Court: The Honorable Maxine M. Chesney

Undersigned counsel stipulate as follows:

1. A status conference is currently scheduled in this matter on November 9, 2011 at 2:30 p.m.;
2. Undersigned counsel from the Federal Public Defender cannot make the revised court time of 10:00 a.m. on November 9, 2011, and thus requests a continuance from this Court until November 30, 2011 at 2:30 p.m.;
3. Undersigned government counsel has no objection to defense counsel's request for additional time;
4. The parties jointly request November 30, 2011 as the next date before the Court;
5. The parties jointly request that the Court exclude the period of time between November 9, 2011 and November 30, 2011 under the Speedy Trial Act for effective preparation of counsel and continuity of counsel; namely, defense

1 counsel needs more time to analyze and review the discovery in the case, and
2 because she cannot make the revised Court time of 10:00 a.m. on November 9,
3 2011. *See* 18 U.S.C. § 3161(h)(7)(A) and (b)(iv).

4
5 IT IS SO STIPULATED.

6 DATED: November 3, 2011

_____/S/_____
7

8 ELIZABETH M. FALK
9 Assistant Federal Public Defender

10 DATED: November 3, 2011

_____/S/_____
11

12 CHINHAYI CADET
13 Assistant United States Attorney


[PROPOSED] ORDER

GOOD CAUSE APPEARING, it is hereby ORDERED that the status conference, previously scheduled for November 9, 2011 at 2:30 p.m., is hereby CONTINUED to November 30, 2011 at 2:30 p.m.. The Court further orders and finds, pursuant to 18 U.S.C. § 3161(h)(7)(A) and (B)(iv) and the reasons stated in this stipulation, that the failure to grant the requested continuance would deny defense counsel the reasonable time necessary for effective preparation of a defense. Accordingly, the Court will exclude the time period of November 9, 2011 through November 30, 2011 from the Speedy Trial calculation, and finds that the ends of justice served by granting the requested four week continuance outweighs the best interest in the defendant and the public in a speedy trial.

18 U.S.C. § 3161(h)(7)(A) and (B)(iv)

IT IS SO ORDERED.

DATED: November 7, 2011



THE HONORABLE MAXINE M. CHESNEY
UNITED STATES DISTRICT JUDGE